Reason for the change:
The Regents created a new section to their personnel policies entitled “Conflict of Interest and Ethical Conduct.” This new policy is applicable to all employees of the university. The new policy affects many aspects of several policies in the FSH. The entire Regents policy has been added to this section as part B.
NOTE: Each department determines, with the dean's approval, the procedures for implementing A-1.

--A-2. Consulting Performed for UI. Consulting services that are performed for UI as a part of the employee's regularly assigned duties are not a basis for additional compensation. However, under special circumstances, extra compensation may be authorized for services to UI that are clearly beyond the employee's assigned duties and are not performed on days for which the employee is paid for regular duties [see 3420 F-1]. Such services are subject to the limitations on private consulting stated in A-1. In addition, prior approval by the employee's departmental administrator must include a certification that: (a) the work to be performed is an overload, (b) work schedules cannot be rearranged to include the work in the employee's regular duties, (c) no other qualified UI personnel are available to do the work as a part of their regular duties.

A-3. Continuing-Education and Other Teaching Overloads at UI. A UI employee may teach UI continuing-education and/or extended-day courses as an overload with the written approval of his or her departmental administrator. In such cases a request for compensation in addition to certified salary will be submitted subsequently to the regents for their approval. No combination of continuing-education or other teaching overloads is to impose a total requirement on the employee's time that is greater than about one additional day a week (exclusive of periods of vacation leave or legal holidays).

B. Regents Policy

B-1. In addition to the requirements set forth below, all employees of the UI are also subject to the Conflict of Interest and Ethical Conduct Policy of the Regents RGPIIQ This policy can be reviewed at http://www.sde.state.id.us/osbe/policy.htm and is quoted below.

B-2. General Principles of Ethical Conduct
All employees of the institutions, agencies, school and office:

a. shall not hold financial interests that are in conflict with the conscientious performance of their official duties and responsibilities.

b. shall not engage in any financial transaction in order to further any private interest using nonpublic information of the Board, institution, school, agency or office.

c. shall put forth honest effort in the performance of their duties.

d. shall make no unauthorized commitments or promises of any kind purporting to bind the Board or any Board-governed entity.

e. shall not use their public offices for private gain.

f. shall act impartially and not give preferential treatment to any private or public organization or individual.

g. shall protect and conserve public property and shall not use it for other than authorized activities.

h. shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official duties and responsibilities.

i. shall promptly disclose to their chief executive officer waste, fraud, abuse, or corruption in accordance with applicable law and policy.

j. shall endeavor to avoid any actions that would create the appearance that they are violating the law or the ethical standards of the Board or the relevant Board-governed entity.

k. shall disclose potential conflicts of interest to the chief executive officer, or designee, of the institution, agency, school or office, and avoid Conflicts of Interest, potential Conflicts of Interest, and circumstances giving rise to the appearance of a Conflict of Interest.

2. Conflict of Interest
A conflict of interest occurs when a person's private interests compete with his or her professional obligations to the Board-governed entity to a degree that an independent observer might reasonably question whether the person's professional actions or decisions are materially affected by personal considerations, including but not limited to personal gain, financial or otherwise.

3. Consideration of Transactions
a. In the event that a person subject to this policy shall be called upon to consider a transaction involving a Board-governed entity and a person, entity, party, or organization with which the person is affiliated, as defined below, such person, as soon as he or she has knowledge of the transaction, shall: (i) disclose fully to the chief executive officer, or designee, the precise nature of his or her interest or involvement in the transaction and/or such organization, and (ii) refrain from participating in the institution's, agency's, school's or office's consideration of the proposed transaction.
b. Each person subject to this policy shall disclose to the chief executive officer, or designee, of the entity all relationships and business affiliations that reasonably could give rise to a Conflict of Interest because of the employee’s duties and responsibilities. This disclosure obligation is ongoing, and each employee has a duty to supplement or amend his or her disclosure when the employee knows that the disclosure was incorrect in a material respect when made or the disclosure, though correct when made, has become inaccurate in a material respect.

c. For the purposes of this policy, an employee is “affiliated” with an organization if the person, a member of the person's immediate family (i.e., spouse, parents, children, brothers, and sisters), or a person residing in the employee's household or a legal dependent of the employee: (i) is an officer, director, trustee, partner, employee, or agent of such organization; (ii) is either the actual or beneficial owner of more than one percent (1%) of the voting stock of or a controlling interest in such organization; (iii) has any other direct or indirect dealings with such organization from which the employee is materially benefited. It shall be presumed that an employee is “materially benefited” if he or she receives, either directly or indirectly, money, services, or other property in excess of one thousand dollars ($1000) in any year in the aggregate.

d. All disclosures required to be made hereunder must be directed, in writing, to the chief executive officer, or designee, of the institution agency, school or office.

B. INSTITUTIONAL PROCEDURES AND REQUIREMENTS.

B-1. Administrative approval for consulting by UI employees may be granted only when the proposed activity satisfies the conditions outlined in A-1 or A-2 as applicable. The approval form is accessible on the provost's web page. [ed. 7-00]

B-2. In requesting approval, employees are to supply the following information to the departmental administrator: (a) an estimate of the time that will be required, (b) the subject and scope of the consulting services, (c) the extent of use of UI facilities.

B-3. If UI supplies, equipment, or facilities (other than library and assigned office space) are to be used (subject to priority for their use in regular UI activities), the consultant must enter into an official agreement with UI through the vice president for administration and finance. The vice president should also be consulted in any case that involves collections from or payments by UI students or that could, in the opinion of the departmental administrator and dean approving the consulting arrangement, result in litigation or questions concerning UI insurance coverage. Such agreements involving UI supplies, equipment, or facilities must: (a) stipulate the kind and extent of equipment usage, personnel to be involved, the direct costs to be incurred, and liability for personal injury or damage to UI property; (b) include provisions for appropriate reimbursement to UI; (c) indicate that the required administrative approvals have been obtained; (d) be approved by the vice president for administration and finance.

B-4. Every employee performing consulting services must submit an annual report thereon, documenting the subject and scope of and time spent on consulting activities, to his or her departmental administrator and dean.

B-5. Compensation in addition to certified salary that is paid for services rendered under A-2 or A-3 above must be handled by the UI payroll system.

B-6. The name, "University of Idaho," is the exclusive property of UI and consequently should not be used in support of claims, advertisements, or the contents of any private consulting reports. UI stationery or letterhead may be used only for official UI business. [See 6620.]